

Serial No. 10/659885

Preliminary Amendment dated January 5, 2004

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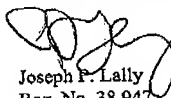
REMARKS

Applicant has amended independent claims 1 and 8 to recite "an ILD" instead of "an interlevel dielectric" to prevent a claim interpretation that excludes cases where the ILD is an intralevel dielectric. These amendments are supported in the specification as filed in the paragraph beginning on line 21, page 4.

Applicant has added claims 21 and 24 to recite embodiments where the ILD is an intralevel dielectric and claims 22 and 25 to recite embodiments where the ILD is an interlevel dielectric. Applicant has also added dependent claim 23 to recite an embodiment in which the process of stopping on an etch stop layer includes some etching of the layer. Support for this amendment is found in the specification as filed in the paragraph beginning on line 16, page 7.

If any questions arise during the processing of this amendment, the undersigned attorney would welcome and encourage a telephone conference at 512.428.9872.

Respectfully submitted,



Joseph P. Lally
Reg. No. 38,947

ATTORNEY FOR APPLICANT(S)

P.O. Box 684749
Austin, Texas 78768-4749
512.428.9870
512.428.9871 (FAX)

JPL/mmm